

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

MOGEN AGENCY, INC., PAUL
MOGEN,

Plaintiffs,

vs.

CONTINENTAL GENERAL
INSURANCE COMPANY, GREAT
AMERICAN FINANCIAL RESOURCES,
Incorporated; GREAT AMERICAN
INSURANCE COMPANY, AMERICAN
FINANCIAL GROUP,

Defendants.

8:13CV381

ORDER

The parties' motion, (filing no. 39), is granted in part and denied in part, and the final progression order is amended as follows:

- 1) The jury trial of this case is set to commence before John M. Gerrard, United States District Judge, in the Special Proceedings Courtroom, Roman L. Hruska Federal Courthouse, 111 South 18th Plaza, Omaha, Nebraska, at 9:00 a.m. on February 29, 2016, or as soon thereafter as the case may be called, for a duration of eight (8) trial days. This case is subject to the prior trial of criminal cases and such other civil cases as may be scheduled for trial before this one. Jury selection will be held at the commencement of trial.
- 2) The Pretrial Conference is scheduled to be held before the undersigned magistrate judge on February 16, 2016 at **11:00 a.m.**, and will be conducted by WebEx conferencing. To facilitate this conferencing method, the parties' proposed Pretrial Conference Order and Exhibit List(s) must be emailed to zwart@ned.uscourts.gov, in either Word Perfect or Word format, by 5:00 p.m. on February 12, 2016. An email will be sent to counsel of record with the instructions and codes for participating in the pretrial conference by WebEx.
- 3) The deadlines for identifying expert witnesses expected to testify at the trial, (both retained experts, ([Fed. R. Civ. P. 26\(a\)\(2\)\(B\)](#)), and non-retained experts, ([Fed. R. Civ. P. 26\(a\)\(2\)\(C\)](#)), are:

For the plaintiff(s): June 15, 2015.

For the defendant(s): August 7, 2015.

- 4) The deadlines for complete expert disclosures for all experts expected to testify at trial, (both retained experts, ([Fed. R. Civ. P. 26\(a\)\(2\)\(B\)](#)), and non-retained experts, ([Fed. R. Civ. P. 26\(a\)\(2\)\(C\)](#)), are:

For the plaintiff(s): July 31, 2015.

For the defendant(s): September 25, 2015.

- 5) The deposition deadline is October 9, 2015.
- 6) The deadline for filing motions to dismiss and motions for summary judgment is November 9, 2015.¹
- 7) The deadline for filing motions to exclude testimony on *Daubert* and related grounds is November 9, 2015.
- 8) All other deadlines are unchanged.

March 26, 2015.

BY THE COURT:

s/ Cheryl R. Zwart
United States Magistrate Judge

¹ To facilitate the court's review, the parties are strongly encouraged to include hyperlinks to the evidence, CM/ECF record, and all legal authorities cited within their briefs filed in support of, or in opposition to, any motions filed. See NECivR [7.1](#). For instructions, see "Hyperlinking Information" at <http://www.ned.uscourts.gov/attorney/electronic-case-filing>.

BY THE COURT:

s/ Cheryl R. Zwart
United States Magistrate Judge